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**From:** Wehling, Carrie  
**Sent:** Fri 2/24/2017 2:44:15 PM  
**Subject:** RE: EPA Daily News Briefing for Friday, February 24, 2017  
[B Bay.smith letter2017.pdf](#)

Here's the letter on Bristol Bay.

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**From:** Minoli, Kevin  
**Sent:** Friday, February 24, 2017 8:25 AM  
**To:** Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Schroer, Lee <schroer.lee@epa.gov>; Levine, MaryEllen <levine.maryellen@epa.gov>  
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**Subject:** Fwd: EPA Daily News Briefing for Friday, February 24, 2017

Note the news under the "enforcement" heading below re: new Congressional on Bristol Bay and new lawsuit re: dams and water flows. We will send them to you if we get them, and please do the same if you get them. Thanks, Kevin

Kevin S. Minoli  
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Begin forwarded message:

**From:** "Bulletin Intelligence" <[epa@bulletinintelligence.com](mailto:epa@bulletinintelligence.com)>  
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TO: ADMINISTRATOR AND SENIOR EXECUTIVES

DATE: FRIDAY, FEBRUARY 24, 2017 7:00 AM EST

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## **Administrator**

### **Media Analyses: Released Emails Show Close Ties Between Pruitt, Energy Industry.**

The [Wall Street Journal](#) (2/23, Harder, Ailworth) reports that thousands of emails were released earlier this week by order of a state judge showing close contact between Scott Pruitt as Oklahoma’s attorney general with oil and natural gas companies. The emails could bolster concerns of conflict of interest by Pruitt’s critics.

[Bloomberg BNA](#) (2/24, Stecker) reports that former EPA official Dina Kruger, who has experience working under Presidents Clinton, Bush, and Obama, said that the e-mails showing oil and gas companies “inserted their views into the attorney general’s talking points” may not be a “radical departure from previous administrations.” Kruger claims that climate change documents developed in the George W. Bush administration commonly used industry language. Some have drawn a comparison between Pruitt’s communication with industry to McCarthy’s communication with environmental advocates.

The [AP](#) (2/23, Biesecker, Causey) highlights one set of e-mails in which Pruitt’s executive assistant emailed a lobbyist for American Electric Power asking when power would be restored to the Pruitt’s home following a storm-induced outage. Following the email exchange, an AEP work crew “soon arrived” at the Pruitt home.

### **Bipartisan Group Of Senators Ask Pruitt To Leave RFS Obligation In Place.**

The “Morning Energy” blog of [Politico](#) (2/23) reported “a bipartisan group of four senators” on Wednesday sent a letter to EPA administrator Scott Pruitt asking him “to leave the Renewable Fuel Standard obligation where it is.” The senators “said making a change to the point of obligation would create administrative burden for EPA and ‘needlessly inject uncertainty into the fuels market and deter future investments in biofuels.’”

## Brownfields/Superfund/Other Cleanups

### EPA To Hold Public Sessions On Portland Harbor Superfund Cleanup.

The [Portland \(OR\) Business Journal](#) (2/23) reports that “at the request of community groups and stakeholders,” the EPA will hold three community sessions to discuss the Portland Harbor Superfund cleanup plan in March.

## Energy

### Exxon’s New CEO Endorses Carbon Tax.

[Bloomberg News](#) (2/23, Carroll) reports new head of ExxonMobil CEO Darren Woods is calling for a carbon tax in his first blog post since succeeding Rex Tillerson last month. Woods said a revenue-neutral carbon tax “would promote greater energy efficiency and the use of today’s lower-carbon options, avoid further burdening the economy, and also provide incentives for markets to develop additional low-carbon energy solutions for the future.” Woods’ comments mirror statements made by Tillerson and is a “continuation of a long-standing corporate policy” implemented during Tillerson’s leadership. The [Washington Examiner](#) (2/23, Langille) also reports.

***DMN Expresses Support For “Market-Based Carbon Reduction Approaches.”*** In an editorial supportive of a recently proposed tax on carbon emissions by former Republican cabinet officials, the [Dallas Morning News](#) (2/23) writes “market-based green-energy plans work, and lawmakers need only look to Texas, a fossil fuel intensive state, for evidence.” Under “former Gov. Rick Perry’s renewable energy policies,” the state “attracted billions of dollars in clean energy investments and created jobs that pay salaries that can support a family.” Texas leads the US “in wind power and capacity; if it were a country, it would rank about sixth worldwide as a wind energy producer.” The editorial asks, “Fossil-fuel lover Rick Perry made Texas greener with wind, so why not try it in Washington?” Conservatives who are “skeptical” should “be embracing smart, market-based carbon reduction approaches built on choices and options. And they need to do it now before it is too late.”

## Enforcement

### Rep. Lamar Calls On EPA To Rescind Pebble Mine Decision.

The [Alaska Public Radio Network](#) (2/23, Bendinger) reports that Rep. Lamar Smith, chairman of the House Committee on Science, Space, and Technology, wrote a letter to EPA Administrator Scott Pruitt asking that the agency “rescind its 2014 veto of the Pebble Mine.” Rep. Smith “has made the agency’s work in Bristol Bay a top priority of the oversight committee,” and has previously described the EPA’s veto of the Pebble Mine project as “unprecedented,” “biased” and based on “questionable science.”

[E&E Publishing](#) (2/22) reports that Rep. Smith wrote, “This simple action will allow a return to the long-established Clean Water Act permitting process and stop attempts by the EPA to improperly expand its authority.”

### Conservation Groups Sue EPA To Compel Protections For Wild Salmon.

[Reuters](#) (2/23, Zuckerman) reports that US fishing and conservation groups filed a lawsuit against the EPA on Thursday over increased protections for wild salmon, making it the “first court case brought

against the EPA under President Donald Trump's newly confirmed chief of the agency, Scott Pruitt." The lawsuit seeks to compel the agency to require dam operators in the Northwest to "control river flows in such a way as to keep water temperatures cool enough for the salmon to survive."

## **Other News**

### **FERC Releases Update To Environmental Reporting Guidance That Includes Greenhouse Gas Emissions.**

Bloomberg News (2/22, Traywick) reports that FERC on Wednesday posted a new manual on environmental reporting which advises project developers to include potential greenhouse-gas emissions in their applications. The update on 2002 guidance "comes just in time for President Donald Trump to potentially kill it." The timing of the revised manual has "no special significance" and was part of a "very large, comprehensive, and detailed effort" by FERC staff, agency spokeswoman Tamara Young-Allen said Wednesday. Young-Allen said the aim is to improve the "overall quality and consistency" of information submitted by project developers, emphasizing that the manual is guidance only and "imposes no new legal obligations."

## **Rules/Regulations/Policy**

### **Business Roundtable Urges Trump Administration To Cut CPP, WOTUS, Ozone Rules.**

E&E Publishing (2/23, Reilly) reports that the Business Roundtable, an association of top U.S. executives, sent a letter to the "National Economic Council Director Gary Cohn listing the National Ambient Air Quality Standards, Clean Power Plan and Waters of the U.S. rules as their top priorities for review." The priorities were identified after the group conducted a survey of its members and received feedback with recommendations on how to mitigate the rules' impacts. The Clean Power Plan, "the roundtable said, should be recrafted to address concerns about EPA overreach and infringement on states' authority. It should provide maximum flexibility for compliance."

### **North Carolina Files Motion To Withdraw From Lawsuit Against Clean Power Plan.**

E&E Publishing (2/23, Reilly) reports that the North Carolina Department of Environmental Quality filed a motion to voluntarily leave the "massive litigation over the Obama administration's signature climate change policy." The state's motion did not give details regarding the withdrawal, although the article notes that "since filing the litigation, voters in the state elected a Democrat, Ray Cooper, to be governor," and there is also a Democratic attorney general in office.

### **Daines Says Action On CPP Roll Back To Happen "Imminently."**

The "Morning Energy" blog of Politico (2/23) reported Sen. Steve Daines on Wednesday "told the Montana House in a speech" that he had "been assured we will see movement imminently" to "roll back the Clean Power Plan by the Trump administration."

### **EPA "Flooded" With Comments On Biofuels Rule Change.**

Reuters (2/23, Prentice) reports the EPA was "flooded" with public comments over its plan to shift the Renewable Fuel Standard point of obligation. The EPA's proposal would "deny requests from refiners to tweak the U.S. Renewable Fuel Standard (RFS) by pushing the compliance burden further downstream." Reuters says all sides are now "seizing the opportunity to test President Donald Trump's commitment to the program."

## **California Democrats Introduce Measures To Protect Obama-Era Environmental Policy.**

According to [Reuters](#) (2/23, Carroll), Democratic state senators in California introduced the “Preserve California” package of bills Thursday that would ensure future federal policies do not “encroach on our far-reaching progressive [environmental] policies,” said state Senate Leader Kevin de Leon in a press conference. The measures will make existing Obama-era federal regulations on clean air, water, and endangered species enforceable by state law and prevent the sale of federal lands to oil companies.

Additional coverage was provided by [Politico](#) (2/23, Siders), the [Los Angeles \(CA\) Times](#) (2/23, Megerian), the [San Francisco \(CA\) Chronicle](#) (2/23, Gutierrez), and the [Sacramento \(CA\) Bee](#) (2/23, Koseff).

## **Toxics/TSCA**

### **EPA Strained By Backlog Of Chemicals Needing Approval.**

[Bloomberg BNA](#) (2/23, Rizzuto) reports that the EPA is working to address a backlog of chemicals needing approval that has nearly doubled in the past eight months. Some chemical industry representatives who previously “found the EPA to be fairly predictable and reasonably quick in its reviews, are saying it is no longer predictable or quick.”

### **EPA Says Fee Rule For Chemical Makers To Be Released Soon.**

[Bloomberg BNA](#) (2/23, Rizzuto) reports that the EPA’s chemical reform bill allowed the agency to collect industry fees of up to \$25 million to be used to reimburse the agency’s Office of Pollution Prevention and Toxics for costs incurred. A senior EPA official said that a proposed rule detailing these fees chemical manufacturers and processors would pay should be released in the coming months.

## **Water Infrastructure**

### **Small California Community Faces Water Crises Of Its Own.**

[WESA-FM](#) Pittsburgh (2/22) reports that Flint is not the only city with difficulties ensuring safe drinking water. Kettleman City, California has also “been dealing with unsafe drinking water for years” as a result of oil drilling contamination. The city is supposed to get a new treatment plant by next year using state and federal funds, although “some wonder if the federal piece will come through in the new administration.”

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